

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
7

8  
9 SANFORD TUCKER, etc.,

2:05-cv-1216-LDG-RJJ

10 Plaintiff,

ORDER

11 v.

12 LAS VEGAS METROPOLITAN POLICE  
13 DEPARTMENT; et al.,

14 Defendants.  
15

16 In 2009, defendants filed a motion in limine to preclude the testimony of Ernest Burwell  
17 (#132, response #135, reply #136). Judges have broad discretion when ruling on motions in  
18 limine, see, e.g., Jenkins v. Chrysler Motors Corp., 316 F.3d 663, 664 (7th Cir. 2002), and a  
19 district court's ruling on a motion in limine is subject to change, particularly in light of developing  
20 trial considerations, see Luce v United States, 469 U.S. 38, 41-42 (1984).

21 The court denied this motion in limine by implication when it relied upon Burwell's  
22 testimony in its denial of defendant's renewed motion for summary judgment (#137), which aspect  
23 was recently affirmed by the Ninth Circuit. Accordingly,


24 ///

25 ///

26 ///

1 THE COURT HEREBY ORDERS that defendants' motion in limine to preclude the  
2 testimony of Ernest Burwell (#132) is DENIED without prejudice.

3  
4 Dated this 30 day of March, 2012.

5  
6   
7 Lloyd D. George  
United States District Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26